

UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF WISCONSIN

In re
Archdiocese of Milwaukee,
Debtor.

Chapter 11
Case No.11-20059-svk

Archdiocese of Milwaukee Catholic Cemetery
Perpetual Care Trust, on behalf of itself
and its beneficiaries,

Plaintiff,

v.

Adv. Case No. 11-2459

Official Committee of Unsecured Creditors,
Defendant.

Official Committee of Unsecured Creditors.
Counterclaimant,

v.

Archdiocese of Milwaukee Catholic Cemetery
Perpetual Care Trust; and Archbishop Jerome E.
Listecki, Archbishop of the Archdiocese of
Milwaukee, in his capacity as sole Trustee of the
Archdiocese of Milwaukee Catholic
Cemetery Perpetual Care Trust,
Counterdefendants.

Appearances and Summary of Disposition
Honorable Susan V. Kelley, Presiding

Date: February 22, 2013

Start Time: 1:03:36 p.m.

End Time: 2:06:46 p.m.

Proceeding: Status Conference

Courtroom Deputy: Jodie Primus

Court Reporter: Courtsmart

Appearances: Timothy Nixon and William Duffin for the Archdiocese of Milwaukee Catholic Cemetery Perpetual Care Trust and Archbishop Jerome E. ListECKi in his capacity as Trustee (collectively, the "Trust")
James Stang, Albert SoloCHECK, Gillian Brown, for the Official Committee of Unsecured Creditors
Daryl Diesing and Francis LoCOCO for the Debtor

While the District Court reviews the Court's decision granting the Committee's motion for summary judgment on the RFRA and First Amendment claims, the Trust and the Committee want to proceed with the balance of this adversary proceeding. They have agreed to a proposed schedule which is to conclude all discovery by June 30, 2013; file cross-motions for summary judgment on "Scenario 1" by July 31, 2013; file responses to the motions by September 15, 2013 and replies to the motions by September 30, 2013. Attorney Duffin reported that if either dispositive motion is granted, the Cemetery Trust litigation is over. If both motions are denied, then the parties agreed that a final pre-trial conference and trial could be scheduled forty-five days and sixty days out, respectively.

After exploring the need for the somewhat protracted schedule and encouraging the parties to continue to discuss settlement, the Court scheduled the hearing on the motions for summary judgment for October 17, 2013, at 1:00 p.m. in Courtroom 167 in Milwaukee. Attorney Duffin will submit the scheduling order.

A discussion followed of the Debtor's motion to amend the professional fee order, which was a carry-over from the February 21, 2013 hearing. A summary of the results of that discussion is included in the February 21, 2013 Appearances and Summary of Disposition in the main case docket.

An audio recording of the hearing is available on the docket.